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Attorneys for Defendant Gregory Bryan

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MOHAMED MAHMOUD

Plaintiff,

v.

STEVE SISOLAK, *et al.*,

Defendants.

Case No. 2:22-cv-00615-APG-MDC

JOINT STIPULATION REPORT

Plaintiff Mohamed Mahmoud, by and through counsel Tiffany Solari, Esq., and Defendant Gregory Bryan, by and through counsel, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Nathan M. Claus, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit this Joint Stipulation Report.

Since the filing of the last stipulation, ECF No. 63, Ms. Solari and her firm engaged in efforts to discover more information about Gregory Martin's (deceased) estate executor or administrator to substitute in his stead. During the investigation, it was discovered that a trust was created for Mr. Martin. Because a trust was created, it is believed that a will was also created. However, it appears that no will was filed with the clerk of the court pursuant to NRS 136.050. Investigation also revealed that Mr. Martin was represented by attorney Robert Kurth.

On May 17, 2024, Ms. Solari sent a letter via mail and e-mail to Mr. Kurth regarding Mr. Martin's involvement in the instant lawsuit along with questions regarding his estate.

1 These efforts were made to identify the existing administrator or executor of Mr. Martin's
2 estate and find the correct individual to be named. To date, Ms. Solari has not received a
3 response from Mr. Kurth.

4 Thereafter, Ms. Solari and Mr. Claus engaged in a telephone conference on June 11,
5 2024, to follow up on the discussion for the substitution of Mr. Martin. Ms. Solari indicated
6 she did not find an open estate for Mr. Martin and was trying to seek more information
7 from Mr. Martin's prior attorney, Mr. Kurth, and also look into whether an estate could be
8 set up for Mr. Martin through the probate process. Mr. Claus and Ms. Solari then agreed
9 to have a follow-up conversation regarding the probate process and substitution. Ms. Solari
10 asked Mr. Claus whether the AG's office intended to take any action regarding creating an
11 estate for Mr. Martin given he is named in multiple other open cases. Mr. Claus said he
12 would inquire with his office.

13 On June 21, 2024, Mr. Claus emailed Ms. Solari indicating that at this time,
14 Defendant will not be opposing any efforts by Plaintiff to complete the probate process for
15 a possible estate, but could not indicate a position on substituting a proposed estate for
16 Gregory Martin (deceased) as of that date.

17 On June 24, 2024, Ms. Solari emailed Mr. Claus inquiring whether his office would
18 be willing to take reasonable efforts as outlined in *Macias*¹ to serve proper service of death
19 on Mr. Martin's representative. On June 25, 2024, Mr. Claus responded to Ms. Solari that
20 under his interpretation, the *Macias* case was not applicable here as Mr. Macias was pro
21 se and Judge Traum found that it was unlikely a pro se person could undertake efforts
22 needed to complete the investigation into that case's decedent's successor, which does not
23 apply here. Mr. Claus could not agree that his office is under any specific duty as outlined
24 in *Macias* but advised that once Mr. Martin's personal representative is known, his office
25 would likely effectuate service on them. Mr. Claus further represented he also tried to reach
26 Mr. Kurth's office but was unable to get a response.

27
28 ¹ Macias v. Nevada, No. 319CV00310ARTCSD, 2023 WL 4530483 (D. Nev. July 12, 2023).

In light of the above, the parties seek an additional stay of the case of 60 days and a status hearing to discuss the issue regarding the personal representative with the Court.

DATED this 25th of June, 2024.

DATED this 25th of June, 2024.

CLARK HILL PLLC

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Attorney General

/s/ Tiffany Solari
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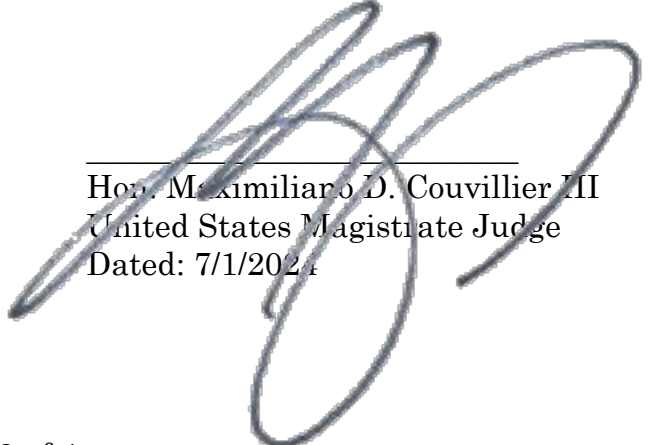
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Pro Bono Attorney for Plaintiff,
Mohamed Abdalla Mahmoud

Attorney for Defendant
Gregory Bryan

IT IS SO ORDERED that the parties' stipulation is GRANTED. The matter is stayed until August 30, 2024. The parties shall file a "Stipulation and Report" regarding the status of the matter, particularly the status of a substitution for defendant Gregory Martin.

IT IS FURTHER ORDERED that the State of Nevada Attorney General shall make a reasonable investigation into the status of defendant Martin's estate and if a representative of the estate or successor is discovered shall serve the suggestion of death in accordance with Rules 4 and 25 on the representative or successor. The State of Nevada Attorney General shall, within 30 days of the date of this order, file proof of service reflecting proper service of death on the representative or successor of defendant Martin or, if counsel is unable to effect such service, counsel shall file a declaration concerning all efforts to comply with this Order.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge
Dated: 7/1/2024

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on June 25, 2024, I electronically filed the foregoing **JOINT STIPULATION REPORT** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically.

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/s/ Kimalee Goldstien
An employee of the
Office of the Nevada Attorney General